

## Form 10. Bill of Costs .....(Rev. 1-1-05)

## United States Court of Appeals for the Ninth Circuit

**BILL OF COSTS**

**Note:** If you wish to file a bill of costs, it MUST be submitted on this form and filed, with the clerk, with proof of service, within 14 days of the date of entry of judgment, and in accordance with 9th Circuit Rule 39-1. A late bill of costs must be accompanied by a motion showing good cause. Please refer to FRAP 39, 28 U.S.C. § 1920, and 9th Circuit Rule 39-1 when preparing your bill of costs.

|                          |    |                                  |                       |
|--------------------------|----|----------------------------------|-----------------------|
| United States of America | v. | Comprehensive Drug Testing, Inc. | 9th Cir. No. 05-10067 |
|--------------------------|----|----------------------------------|-----------------------|

The Clerk is requested to tax the following costs against: United States of America

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| Cost Taxable under FRAP 39, 28 U.S.C. § 1920, 9th Cir. R. 39-1 | REQUESTED<br>Each Column Must Be Completed |                |                 |            | ALLOWED<br>To Be Completed by the Clerk |                |                 |            |
|--|--|----------------|-----------------|------------|---|----------------|-----------------|------------|
|  | No. of Docs.*                              | Pages per Doc. | Cost per Page** | TOTAL COST | No. of Docs.*                           | Pages per Doc. | Cost per Page** | TOTAL COST |
| Excerpt of Record  | 450  | 256            | \$ 0.1          | \$ 11,520  |   |                | \$              | \$         |
| Opening Brief  |  |                | \$              | \$         |   |                | \$              | \$         |
| Answering Brief  | 30   | 58             | \$ 0.1          | \$ 174     |   |                | \$              | \$         |
| Reply Brief  |  |                | \$              | \$         |   |                | \$              | \$         |
| Other  |  |                | \$              | \$ 546     |   |                | \$              | \$         |
| TOTAL:   |  |                |                 | \$ 12,240  | TOTAL:                                  |                |                 |            |

**Form 10. Bill of Costs - *Continued***

**Other:** Any other requests must be accompanied by a statement explaining why the item(s) should be taxed pursuant to Circuit Rule 39-1. Additional items without such supporting statements will not be considered.

Attorneys fees **cannot** be requested on this form.

\* If more than 7 excerpts or 20 briefs are requested, a statement explaining the excess number must be submitted.

\*\* Costs per page may not exceed .10 or actual cost, whichever is less. Circuit Rule 39-1.

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I, , swear under penalty of perjury that the services for which costs are taxed were actually and necessarily performed, and that the requested costs were actually expended as listed.

Signature

Date

Name of Counsel:

Attorney for:

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(To Be Completed by the Clerk)

Date

Costs are taxed in the amount of \$

Clerk of Court

By:  , Deputy Clerk

# EXHIBIT A

**FILED**

**NOT FOR PUBLICATION**

OCT 22 2008

**UNITED STATES COURT OF APPEALS**

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

**FOR THE NINTH CIRCUIT**

**UNITED STATES OF AMERICA,**

No. 05-10067

Plaintiff - Appellant,

D.C. No. MISC-04-234-SI

v.

**ORDER**

**COMPREHENSIVE DRUG TESTING,  
INC.,**

Defendant - Appellee.

**MAJOR LEAGUE BASEBALL  
PLAYERS ASSOCIATION,**

No. 05-15006

Petitioner - Appellee,

D.C. No. CV-04-00707-JCM

v.

**UNITED STATES OF AMERICA,**

Respondent - Appellant.

**In re: SEARCH WARRANTS  
EXECUTED ON APRIL 8, 2004 AT  
CDT, INC.,**

No. 05-55354

D.C. No. CV-04-02887-FMC

**SEAL 1,**

Plaintiff - Appellant,

v.

**SEAL 2,**

Defendant - Appellee.

**KOZINSKI**, Chief Judge:

En banc oral argument will take place during the week of December 15, 2008, in Pasadena, California. The date and time will be set by separate order.

Within seven days from the date of this order, the parties shall forward to the Clerk of Court thirty additional copies of the original briefs and excerpts of record.

# EXHIBIT B



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# EXHIBIT C



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